

Open Burning Workgroup
Meeting Summary
November 1, 2005
10:00 am

The Missouri Department of Natural Resources' Air Pollution Control Program (APCP) held a meeting of the open burning workgroup November 1 to discuss open burning issues.

Paul Myers with the Air Pollution Control Program opened the meeting. Each of the participants was asked to introduce themselves. The September meeting was summarized by highlighting that two subgroups were formed, an education and a definition subgroup, and that we would hear from these groups today and that the workgroup had agreed by consensus vote to work on drafting a new open burning regulation to replace the existing rules.

The definition subgroup reported that they are still seeking comments on definition changes and new definitions. One thing they are looking at is consistency of definitions across programs, especially solid waste. They are also looking at other states and their definitions to see if they would be of use. They will provide an update at the next meeting.

The education subgroup reported that they have received examples of other state publications dealing with open burning. They are looking at developing multiple brochures, for example a rural and suburban version, which could be used to focus on a target audience. They will provide an update at the next meeting.

Paul then began discussion on the rule consolidation. The question was put to the workgroup as to who can open burn without a permit or advanced notification? As it stands now recreational fires, agricultural burning, prescribed burns and a few others do not need a permit or require any notification. Are there other categories that could be included? Some saw the open burning permit issue dividing into three categories: residential, commercial, and agricultural/prescribed. The only category that would need a permit would be commercial (those being paid to dispose of material through open burning). Residential are not a problem provided they limit their burning to their own waste, they don't interfere with their neighbors, and don't burn harmful material. Prescribed burns done through land management agencies typically have detailed plans for their burns, which include notification provisions. Their burn plans often are stricter than what a permit would require, including such details as modeling.

Fire training and the need to reference the National Fire Protection Association (NFPA) regulations was discussed. Some mentioned the concern that buildings are being used for "training", but are just using that as an excuse to get rid of buildings. The consensus is that reference to the NFPA should be included. A suggestion of changing the notification time from seven days to ten days was brought up.

The use of general conditions (public nuisance, degrade air quality, and visibility hazard) as restrictions in the rule was discussed. These terms are broad and may be difficult to enforce. In most cases these restrictions are part of being a good neighbor. Perhaps a distance from neighbors and a time of day restriction would solve most problems. Some regulations already

have time of day and seasonal restrictions. Local ordinances may also be stricter than state regulations.

The use of air curtain destructors and their requirement in permits was discussed. Air curtain destructors can be a great tool in open burning. The use of air curtain destructors should be encouraged when practicable. Perhaps reducing the distance requirements from residences and other restrictions could be reduced if an air curtain destructor is used.

The workgroup has two draft proposals for a new rule. It was discussed whether the workgroup could decide on one or the other as the draft to work from for future meetings. The pros and cons of each draft were discussed. No decision was made so for the next meeting both drafts will still be considered as possibilities.

The next workgroup meeting date was discussed and set for December 14. The meeting adjourned at 11:50 am.

Attendees:

Tom Burmeister, Twehouse Excavating Co.
Jerry Sparkman, Battlefield FPD
Cecilia Campbell, MDNR/Solid Waste Management Program
Sarah McMichael, MDNR/Air Pollution Control Program
Bruce Palmer, Missouri Dept of Conservation
Richard Barnes, MDNR/Southwest Regional Office
Kris Ricketts, MDNR/Regional Office coordinator
Randy Miller, Mark Twain National Forest
Leslie Holloway, Missouri Farm Bureau
Paul Myers, MDNR/Air Pollution Control Program
Jim Kavanaugh, MDNR/Air Pollution Control Program
Garrett Hawkins, Missouri Farm Bureau
Tim Turpin, MDNR/Division of State Parks
Ken M^cCarty, MDNR/Division of State Parks
Tim Froeschner, St. Louis County Air Pollution Control Program
Dan Engemann, Missouri Department of Agriculture
Randy Cole, Division of Fire Safety
Ed Nicholson, Osage Beach FPD
Laurie Bobbitt, MDNR/Solid Waste Management Program
Todd Crawford, MDNR/Division of Environmental Quality
Norb Plassmeyer, Osage Solutions, LLP
Paul Jeffery, MDNR/Air Pollution Control Program
Layli Terrell, MDNR/Environmental Assistance Office

Susannah Fuchs (phone), American Lung Association of Missouri
Jack Lonsinger (phone), Small Business Compliance Advisory Committee
Tom Sims (phone), MDNR/St. Louis Regional Office
Karl Fett (phone), MDNR/Kansas City Regional Office
Gary Gaines (phone), MDNR/Southeast Regional Office